

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-162 (DSD/TNL)

Plaintiff,

v.

ORDER

Joshua Gunnar Olson,

Defendant.

This matter comes before the Court on Defendant Joshua Gunnar Olson's Motion for Psychiatric Examination, ECF No. 21. Defendant, through his counsel Glenn P. Bruder, moves the Court pursuant to 18 U.S.C. § 4241 for a psychiatric examination to determine whether Defendant is competent to stand trial. Defense counsel notes that he "believes there is reasonable cause to believe the Defendant is suffering from a mental disease or defect rendering him mentally incompetent and unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense." ECF No. 21 (quotation omitted). Defense counsel has not filed any additional supporting material.

Defense counsel's motion does not yet provide a sufficient record by which the Court may determine under 18 U.S.C. § 4241(a) whether there exists "reasonable cause to believe that [D]efendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense."

Defense counsel must provide additional supporting declaration(s) such that the Court may assess adequately whether reasonable cause exists under § 4241.

Therefore, **IT IS HEREBY ORDERED** that defense counsel shall file declaration(s) under seal setting forth specific grounds for concern that Defendant is not able to sufficiently understand the proceedings or assist in his defense without disclosing attorney-client privileged communications. Defense counsel shall file such supporting declaration(s) under seal on or before **November 22, 2022**.

Dated: November 16, 2022

s/Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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